

Attorney Docket No.: 960296.95360
Applicant: Ronald T. Raines
Application No.: 09/234,028 Filed: 01/20/1999
Date of Office Action: 12 DEC 2008
Group Art Unit: 1652
Examiner: Richard G. Hutson
Date of Response: February 12, 2009

REMARKS

In a final office action mailed December 12, 2008, the Examiner in charge of the application correctly stated the status of the claims; claims 1, 4, 5, 7, 9, and 18-23 are pending and under consideration. The Examiner found Applicant's arguments and amendments persuasive to overcome rejections not reiterated in the current office action.

The Examiner objected to claims 19, 21-23 based on certain informalities and rejected claims 1, 4, 5, 7, 9, and 18-23 under 35 USC § 112, first paragraph. Applicant hereby responds to these objections and rejections and respectfully requests reconsideration. All amendments are intended to place the application in condition for allowance.

The undersigned thanks the Examiner for his time on January 22, 2009 for a telephonic interview during which remaining issues regarding claim language were discussed. The Examiner's interview summary mailed January 29, 2009 accurately summarized the substance of the interview. In the telephonic interview, the Examiner suggested modifications to Applicant's proposed claim amendments to overcome all outstanding rejections and objections. Accordingly, Applicant amends claim 1 to recite a RI comprising the amino acid reference sequence of SEQ ID NO:3 or SEQ ID NO:2, except for an alanine substitution of at least one cysteine residue at certain specified positions. The Examiner properly understands the claim to indicate that the RI is identical to an RI having the indicated RI amino acid sequence, with the exception of alanine substitutions at one or more of the indicated positions. The Examiner deemed a recitation of "adjacent cysteines" unnecessary because each cysteine in question is in any event adjacent to another cysteine. According to the Examiner, the amended claims describe the full structure of the claimed RI and enable RIs having one or more alanine substitutions but being otherwise identical to the indicated RIs from human and pig. In Claim 5, "the relevant reference sequence" refers to SEQ ID NO:3 where the claimed RI is in class (i) and to SEQ ID NO:2 where the claimed RI is in class (ii), as set forth in Claim 1.

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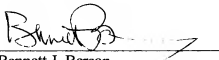
The Examiner objected to claims 19, 21-23 for failure to further limit claims from which they depend. During the interview, the Examiner agreed that Applicant's recitation of "and" in claims 18 and 20 removes the basis of this objection. The undersigned further thanks the Examiner for suggesting additional claim amendments to improve clarity. Having implemented all suggested amendments, Applicant respectfully submits that the application is in condition for allowance and respectfully invites the Examiner to telephone the undersigned before mailing a further office action should any issue persist after entry of this amendment.

Fees

This response is being filed within two months of the mailing date of a final office action. No extension fees are believed due. Should any extension be due, in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the petition fees as needed to Deposit Account No. 17-0055.

No other fee is believed due. Should any other fee be due, in this or any subsequent response, please consider this to be a request to charge the fee as needed to the same Deposit Account.

Respectfully submitted,



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